

SAS:sas 01/09/02 91656
PATENTAttorney Reference Number 4239-55414
Application Number 09/828,000

In a telephone conference with Examiner Davis, Applicants have elected claims 38-47 with traverse. Applicants note that SEQ ID NO:3 is the sequence of amino acid 1 to amino acid 180 of calriticulin. SEQ ID NOs:4-7 are the sequences of particular fragments of SEQ ID NO:3. This relationship is clearly delineated in the specification on page 11, line 20 to page 12, line 9. Thus, a search encompassing peptides that consist essentially of 18 consecutive amino acid fragments of SEQ ID NO:3 by definition includes SEQ ID NOs:4-7.

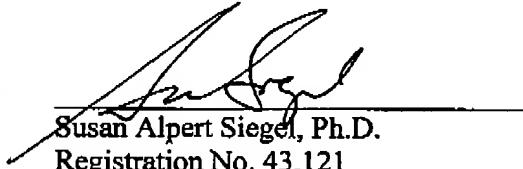
CONCLUSION

If any minor matters remain to be addressed before examination of the subject application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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By



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**Marked-up Version of Amended Claims
Pursuant to 37 C.F.R. §§ 1.121(b)-(c)**

38. (Amended) A method of protecting a bone marrow cell in a subject treated with a chemotherapeutic agent or radiation from a toxicity caused by chemotherapy or irradiation, comprising administering to the subject a therapeutically effective amount of a peptide comprising at least 18 consecutive amino acids of SEQ ID NO:3, thereby stimulating proliferation of the bone marrow cell or the protecting the bone marrow cell from the toxicity caused by chemotherapy or irradiation.